

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADAPTIX, INC.,

Plaintiff,

v.

ALCATEL-LUCENT USA, INC., et al.,

Defendants.

ADAPTIX, INC.,

v.

**ERICSSON INC.,
TELEFONAKTIEBOLAGET LM
ERICSSON, CELLCO PARTNERSHIP
d/b/a VERIZON WIRELESS, and SPRINT
SPECTRUM L.P.**

Civil Action No. 6:15-cv-00041-RWS

**CONSOLIDATED LEAD CASE
PATENT CASE**

**Civil Action No. 6:15-cv-00042
PATENT CASE**

**PLAINTIFF'S ANSWER TO DEFENDANT
SPRINT SPECTRUM L.P.'S COUNTERCLAIMS**

Plaintiff, ADAPTIX Inc. (“ADAPTIX”), answers to the counterclaims of Defendant Sprint Spectrum L.P. (“Defendant”), as follows:

COUNTERCLAIMS

PARTIES

43. Denies.
44. Admits, although “principle” should be “principal.”
45. Admits.

JURISDICTION AND VENUE

46. Admits, assuming that by “[t]his is an action” Defendant meant “These are counterclaims.”

47. Denies that 28 U.S.C. §§ 2201, 2201 provide jurisdiction, but otherwise admits.

48. Admits that venue is proper, but otherwise denies.

49. Admits.

**FIRST COUNTERCLAIM
(DECLARATORY JUDGMENT OF NONINFRINGEMENT)**

50. Denies.

51. Denies.

52. Denies.

**SECOND COUNTERCLAIM
(DECLARATORY JUDGMENT OF INVALIDITY)**

53. Denies.

54. Denies.

55. Denies.

PRAYER FOR RELIEF

WHEREFORE, ADAPTIX respectfully requests that this Court:

- a. Deny all relief requested in Defendant's Counterclaims;
- b. Grant the relief requested by ADAPTIX in its Complaint; and
- c. Grant ADAPTIX such further relief as this Court finds appropriate.

Date: August 5, 2015

Respectfully submitted,

By: /s/ Paul J. Hayes
Paul J. Hayes
Kevin Gannon
HAYES MESSINA
GILMAN & HAYES, LLC
200 State Street, 6th Floor
Boston, MA 02109

Tel: (978) 809-3850
Fax: (617) 443-1999
Email: phayes@hayesmessina.com
Email: kgannon@hayesmessina.com
Craig Tadlock
Texas State Bar No. 00791766
Keith Smiley
Texas State Bar No. 24064869
TADLOCK LAW FIRM PLLC
2701 Dallas Parkway, Suite 360
Plano, Texas 75093
Phone: (903) 730-6789
Email: craig@tadlocklawfirm.com
Email: keith@tadlocklawfirm.com

**ATTORNEYS FOR PLAINTIFF
ADAPTIX, INC.**

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 5th day of August, 2015, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Paul J. Hayes
Paul J. Hayes